IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.5439 OF 2005

Kumar Vishnu Devendra ...Applicant
Vs.
The State of Maharashtra ...Respondent

Ms Deepa Sawant i/by Shri. C.G. Gavnekar for the Applicant.
Shri. K. V. Saste, A.P.P. for the Respondent.

CORAM : A. S. OKA, J.
DATE : AUGUST 29, 2005.

P.C.:

1. Heard the learned Advocate appearing for the Applicant and the learned A.P.P. for the State.

2. The Applicant is claiming parity on the basis of order passed by this Court in Criminal Application No.4748 of 2005.

3. The learned A.P.P. on instructions stated that as there is no direct allegation against the Applicant of commission of offence under section 376 of the said Code and the said allegation is against the co-accused, the Applicant is entitled to claim benefit of parity.

4. Hence, I pass the following order:

: O R D E R :

i) The Applicant shall be enlarged on bail in connection with **C.R.No.55 of 2005 of Panvel Police Station,** subject to furnishing a personal bond of **Rs.15,000/-** with one or two local sureties in the like

amount.

ii) The Bail is granted subject to condition that till conclusion of trial the Applicant shall report to the concerned Police Station on every Sunday between 11.00 a.m. and 12.00 noon.

iii) The Bail is granted subject to condition that the Applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

iv) The Applicant shall co-operate with the learned Trial Judge for expeditious disposal of the trial. Any attempt by the Applicant to delay the trial may be a ground for cancellation of bail.

v) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

vi) Application is disposed of in above terms.

vii) The parties to act upon an authenticated copy of this order.

JUDGE